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[2345/173]

International File Number  
PCT/EP00/06509

**PROVISIONAL INTERNATIONAL REPORT OF EXAMINATION**

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**I. Basis of the report**

1. With respect to **components** of the international Application (substitute sheets which have been furnished to the receiving Office in response to a request under Article 14 are referred to in this report as "originally filed" and are not annexed to the report, since they do not contain any amendments (Rules 70.16 and 70.17)):

**Specification, pages:**

7-12	original version
1-5, 5a	received on 11/12/2001 with letter of 11/12/2001
6	via fax of 11/19/2001

**Claims, no.:**

1-9, 10 (part)	received on 11/12/2001 with letter of 11/12/2001
10 (part)	via fax of 11/19/2001

**Drawings, sheets:**

1/1	original version
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V. Substantiated determination according to Article 35(2) with respect to novelty, inventive activity and industrial applicability; documents and clarifications to support this determination

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1. DETERMINATION

Novelty	YES	Claims 1-10
	NO	Claims
Inventive Activity	YES	Claims 1-10
	NO	Claims
Industrial Applicability	YES	Claims 1-10
	NO	Claims

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2. DOCUMENTS AND CLARIFICATIONS  
**See enclosure.**

INTERNATIONAL PRELIMINARY EXAMINATION REPORT - SUPPLEMENT

International File Number  
PCT/EP00/06509

**Comments regarding Section V.:**

Claims 1, 10

The subject matter of the present Application relates to a test system and to a test method, respectively, which automatically test simply and quickly the load of a device to be tested using a plurality of network users, the device being connected in a communications network based on an IP standard.

U.S. Patent 5,669,000 discloses a test system for remotely testing a computer system (interpreter for performing remote testing of computer systems), a host computer communicating preset instructions to so-called target machines via a communications network, which then executes in the target machine such test actions that a user would otherwise undertake.

European Patent A-0 883 271 describes a method and a system for managing data-service systems (Method and System for Managing Data Service Systems). The described test method is suited in this case for generating test [communication] traffic or test signals, which simulate a data transmission when subscribers access services. The system includes test devices, configured decentrally, which, via a plurality of so-called measuring routes, determine the behavior of mutually influencing modules or the behavior of one module in the entire system.

In contrast thereto, the test system in accordance with Claim 1 and the test method in accordance with Claim 10, respectively, are based on a programmable control device having a corresponding memory device for storing a plurality

of session scripts using an initialization procedure, a predefined test procedure, as well as a termination procedure, the control device, via a plurality of independent connection interfaces, simultaneously establishing a plurality of independent IP connections via a communications network to a specific device connected thereto and, with the assistance of the session script, initiating the test procedure and again clearing [disconnecting] the IP connections.

The claimed system and method, respectively, offer the advantage that the load of a device to be tested is able to be tested by a plurality of network users simply, quickly, as well as automatically, and the test system is able to be centrally operated by one single operator.

None of the available documents discloses such a test system or test method in accordance with the features of Claim 1 and of Claim 10, respectively. Thus, novelty as well as inventive activity along the lines of Article 33(2), (3) PCT of the subject matter of Claims 1 and 10 are acknowledged.

#### Claims 2-9

The dependent Claims 2 through 9 include further details on the mentioned system in accordance with Claim 1. These claims are dependent on Claim 1, and therefore also fulfill the requirements of Article 33 PCT with regard to novelty and inventive activity.

#### **Comments regarding Section VI.:**

U.S. Patent No. 5,937,165

Filing date: 9/10/96

Disclosure date 8/10/1999

Applicant: Ganymede Software  
Inc.

When the Application enters into the regional phase, this

document can be of special significance as far as novelty or inventive activity are concerned.